

**INTERIM RULE 3015-3**

(amended 10/17/05)

**CHAPTER 13 - CONFIRMATION**

- (a) **Pre-Confirmation Conference with Chapter 13 Trustee.** At least forty-eight (48) hours prior to the hearing on confirmation, the debtor's attorney, the debtor, if pro se, and any objector to the Chapter 13 plan are required to confer with the Chapter 13 trustee regarding the proposed plan, its feasibility and permissibility, and any objections to the proposed plan.
- (b) **Objections to Confirmation.**
  - (1) **Deadline for filing.** Any objections to confirmation of a Chapter 13 plan shall be filed no later than seven (7) days before the hearing date on confirmation.
  - (2) **Service of objections.** An objection to confirmation shall be filed with the Court and served on the Chapter 13 trustee, the debtor, the debtor's attorney, and any other party or attorney who has filed an appearance and requested service of pleadings. The objection shall be accompanied by a certificate of service evidencing compliance with this requirement.
- (c) **Scope of the Confirmation Hearing.** At the hearing on confirmation of a Chapter 13 plan, the Court may consider objections to claims, motions filed pursuant to Fed. R. Bankr. P. 4003, motions for valuation of secured claims, motions to modify secured claims, reasonableness of attorney's fees, and any timely filed objections to confirmation of the debtor's plan.
  - (1) The Chapter 13 Trustee's recommendation that the plan under consideration be confirmed shall satisfy all requirements for confirmation under 11 U.S.C. § 1325.
- (d) **Order Confirming Chapter 13 Plan.** R.I. Interim Bankr. Form X shall serve as the form of order for all Chapter 13 confirmations, with such modifications thereof as appropriate. The Chapter 13 trustee is responsible for preparation of the proposed order confirming the plan. Service and submission of the proposed order shall be in accordance with R.I. LBR 9072-1(b).
- (e) **Confirmation of Plan Denied.** If confirmation is denied, the Court may enter an order dismissing the Chapter 13 case, unless, within eleven (11) days after entry of the order denying confirmation:
  - (1) the debtor files a modified plan;
  - (2) the debtor moves to convert the case to one under another chapter of the Code;

- (3) the debtor files a motion for reconsideration;
- (4) the debtor appeals the order denying confirmation; or
- (5) the Court otherwise orders.

(f) **Completion of Plan.** Upon completion of the debtor(s)' confirmed plan and in compliance with 11 U.S.C. § 1328(a), the Chapter 13 Trustee's Final Report shall clearly state either:

- (1) that there were no domestic support obligations due to be paid by the debtor, or;
- (2) that there were domestic support obligations due to be paid by the debtor and those obligations are current, OR;
- (3) that there were domestic support obligations owed by the debtor, that the trustee is unable to determine if they are current and the debtor has not applied for a waiver under this statute.
  - (A) If the trustee is unable to determine if these obligations are current, the Court shall issue a Notice of Intent to Close the Case Without a Discharge unless, within 10 days, the debtor files documentation with the Chapter 13 Trustee that all domestic obligations are current and the Chapter 13 Trustee so notifies the Court.